1761551N25A - SH-AD-32A (OPES) (4/91)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: June 11, 2004

EXECUTIVE FORCE REVIEW COMMITTEE
POLICY ASSESSMENT
DISPOSITION SHEET

FILE NO: #2100624

FROM: JOHNNY G. JURADO, COMMANDER
MICHAEL G. SAVIDAN, COMMANDER
SAMMY L. JONES, COMMANDER

TO: ERIC B. SMITH, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: METTEN, ERIC, DEPUTY #[redacted] PALMDALE STATION, FOR I

On October 7, 2003, Deputies Jeffery Hutchinson and Eric Metten responded to a "keep the peace" call in which the informant wanted his jet ski back from his [redacted] The deputies learned that the [redacted] had given the jet ski to a neighbor to secure a loan. The deputies contacted the neighbor, who told them that the jet ski was in the back of his van, and that the van should be back at any time. The deputies saw the van driving on a street just north of their location, and Deputy Hutchinson directed Deputy Metten to stop the van and have the driver return with the jet ski. As soon as Deputy Metten pulled in behind the van, it pulled over without being directed to. As Deputy Metten walked toward the van, the driver (Romero Pedrosa) exited the van and charged at Deputy Metten. Deputy Metten punched Pedrosa in the face, and managed to get an arm around his neck and flip him onto the ground. Deputy Metten sprayed Pedrosa with pepper spray, without visible effect. As Deputy Metten tried to disengage and back away from Pedrosa, Pedrosa grabbed onto Deputy Metten's radio microphone cord and refused to let go. Deputy Metten struck Pedrosa on the legs with his expandable baton. Pedrosa released the microphone cord and ran a short distance before running into a sign post and falling to the ground. Pedrosa then got back up and again ran from Deputy Metten until he was tackled to the ground by a bystander, where he was held until Deputy Metten handcuffed him. Pedrosa was treated at a local hospital for a possible hairline fracture to his jaw and a broken nose. He also later claimed that four teeth had been knocked out during the altercation.

On April 13, 2004, the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: 3-01/025.00, Use of Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards. Concerning:

3-01/025.00, Use of Force, and 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Metten was reasonable and necessary and in compliance with Department

policy.

3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by the deputies in this incident were within Department Policy. The Committee recognized that the tactical concerns with this incident had already been debriefed with involved personnel.

Johnny G. Jurado, Commander

TABLE OF CONTENTS

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	403-17432-2665-058	Date:	10-07-03	Time:	1730 HR.
Location:	87th STREET EAST, AT PEARBLOSSOM HIGHWAY				
City or Station:	LITTLEROCK				
Bureau/Station/Facility:	PALMDALE STATION	Admin. Investigation: YES ☐ NO ☒			

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	40	[redacted]
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph.: [redacted]	Home Ph.: [redacted]
[redacted]	[redacted]	[redacted]	63	[redacted]
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph.: [redacted]	Home Ph.: [redacted]
[redacted]	[redacted]	[redacted]	16	[redacted]
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph.: [redacted]	Home Ph.: [redacted]

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	CARTER	QUITMAN	V.	SGT.	YES ☐ NO ☒	YES ☐ NO ☒
[redacted]	ROSS	DANIEL	B.	SGT.	YES ☐ NO ☒	YES ☐ NO ☒

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	HUDSON	JOHN	W.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	COOK	EDISON	M.

Watch Commander's Signature: ____________________ Emp #: ____________

Copy Provided to Employee by: ____________________ Emp #: ____________

Supervisor Completing Form: JOHN W. HARRIS, SERGEANT (Print) Emp #: [redacted]

Unit Commanders Signature: ____________________ Emp #: ____________ Date Signed: ____________

PSTD Use Only

FO#

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 403-17432-2665-058

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S # 1	E # 1	PH	NN	
E # 1	S # 1	PH	FR	FA
		TD	NN	
		B1	BR	LE

See Front Side

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 403-17432-2665-058

Suspect Information

S_

Last Name: PEDROSA			First Name: RAMERO			Middle Name: RAMIREZ		
AKA Last Name			First Name			Middle Name		
Sex: ☒ Male ☐ Female	Race: H	Street Address: [redacted]			City: [redacted]		State & Zip Code: [redacted]	
Work Phone: [redacted]	Home Phone: [redacted]	Age: 46	Height: 5' 06"	D.O.B. 07-22-58		Weight: 180		Armed? ☐
Booking #: 7866296	Primary Charge: 243(a)(2) P.C..		Secondary Charge:				Criminal History [redacted]	
Hospital Admission? ☐	Rec'd Treatment At: ANTELOPE VALLEY HOSPITAL			Coroner Case#:		Mental History ☐		
Under Influence: ☐ YES ☒ NO Substance: ______				Photos of Suspect's Injuries ☒ YES ☐ NO				

Suspect Interview

Date:	Time:		
10-08-2003	3:58 AM	Audiotape: ☒	Videotape: ☐

Suspect Information

S_

Last Name			First Name			Middle Name		
AKA Last Name			First Name			Middle Name		
Sex: ☐ Male ☐ Female	Race:	Street Address:			City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.		Weight:		Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:				Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐		
Under Influence: ☐ YES ☐ NO Substance: ______				Photos of Suspect's Injuries ☐ YES ☐ NO				

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name			First Name			Middle Name		
AKA Last Name			First Name			Middle Name		
Sex: ☐ Male ☐ Female	Race:	Street Address:			City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.		Weight:		Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:				Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐		
Under Influence: ☐ YES ☐ NO Substance: ______				Photos of Suspect's Injuries ☐ YES ☐ NO				

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

INVESTIGATIVE NARRATIVE

USE OF FORCE
IAB # FO 2097683
URN:403-17432-2665-058

On October 8, 2003 at approximately 1:30 a.m., Sergeant Rick Smith and Sergeant John Harris of the Internal Affairs Bureau arrived at Palmdale Sheriff Station, at the direction of Internal Affairs Bureau Lieutenant Jennings to conduct a "Force Review."

On Tuesday, October 7, 2003, at approximately 5: 30 p.m., Suspect Pedrosa was arrested by Deputy Eric Metten for violations of 243(a) P.C and 241(b) P.C. The arrest of Suspect Pedrosa was subsequent to a vehicle stop and the ensuing physical altercation that followed. As a result of that altercation, the Suspect was arrested and transported to Antelope Valley Hospital, were he was treated for a possible hairline fracture to his jaw and a broken nose.

> **IAB NOTE:** The injuries to the Suspect's nose and jaw are documented on his medical after care instruction sheet. (Refer to Exhibit A) During his interview with IAB Investigators, the Suspect said that his four upper front teeth had been knocked out when his chin was slammed on the ground.

Suspect Pedrosa was approved for booking and booked at Lancaster Sheriff Station. The Suspect was positively identified through fingerprints as Raul Osorio. The Suspect has an outstanding felony bench warrant, for 11550 H&S.

Deputy Metten received medical attention for bruises and swelling to his left hand and a minor abrasion to his right knee. The injuries did require him to take time off.

INVOLVED PERSONNEL:
METTEN, ERIC A. - Deputy Sheriff #[redacted]
Field Operations Region I
Palmdale Station

EMPLOYEE'S WORK HISTORY:
METTEN, ERIC A. # 459118



Date of Employment	02-04-1999
Date Assigned to Patrol	[redacted]
Completed Patrol Training	[redacted]
Prior Shooting Incidents(s)	[redacted]
Prior Founded Force Incidents	[redacted]

SUSPECT:

Suspect Pedrosa, (a.k.a.; Raul Osoio) criminal background [redacted]

EMPLOYEE STATEMENTS

DEPUTY ERIC A. METTEN, #[redacted]

On Tuesday, October 7, 2003, at approximately 5:00 p.m., deputies answered a call (tag # 280) at [redacted] in which the informant [redacted] told the deputies that he wanted them to assist him in recovering his jet ski from his [redacted] The informant was not desirous of prosecution and directed deputies to his [redacted] house (U-6 and Littlerock), which is around the corner from where he lives. The deputies contacted the informant's [redacted] who said she had "hawked the jet ski," to pay her rent. She directed the deputies to [redacted] where they contacted Mr. [redacted] Mr. [redacted] said he was holding the jet ski as collateral, but would return it. He said that the jet ski was in the back of the van that his [redacted] had borrowed, but he should be back at any minute.

As they were talking, they saw a white van drive east on U-5, just north of their location. The informant's [redacted] alerted the deputies, telling them, that's the van. Deputy Hutchinson told Deputy Metten to stop the van and have the driver bring the jet ski back. Deputy Hutchinson stayed at the location, believing that his partner would catch up with the van and return shortly. Deputy Metten drove after the van to tell the driver to turn around, and bring the jet ski back.

The van continued east on U-5 and west on Pearblossom Highway. Deputy Mitten said he caught up with the van and pulled in behind it. He saw the driver (Suspect Pedrosa) look in the driver's side mirror, before he pulled over and stopped in front of [redacted]

He said the Suspect pulled over of his own volition and that he did not activate any of the vehicle's emergency equipment. Deputy Mitten said as he walked toward the van, he saw the Suspect continue to look in the left side view mirror and told the Suspect to stay in the car. The driver's door suddenly opened and the Suspect ran at him, with his fists raised. Deputy Metten believed the Suspect was going to hit him. When the Suspect was next to him, Deputy Metten punched him with his left fist, once, on the right side of the face.

Deputy Metten said that the Suspect took a half step back and punched at him with his right fist, but missed him. Deputy Mitten again punched the Suspect in the face. The Suspect then swung with his right hand and turned his body into Deputy Mitten. With his arm fully extended and his hand closed,

he pushed or shoved Deputy Metten left shoulder. Deputy Metten said that he closed the distance between him and the Suspect and grabbed his extended right arm. He moved into the Suspect and flipped him over his shoulder, maintaining his hold on the Suspect's arm. The Suspect landed on the ground and he told him to stop fighting. The Suspect continued to fight, and he sprayed the Suspect in his face. The Suspect appeared to become more aggressive and Deputy Mitten tried to disengage from the Suspect. The Suspect was holding onto the microphone from his handheld radio, which he had grabbed off his shirt. Deputy Mitten said that he stood up and told the Suspect to let go of the microphone. Deputy Mitten said the Suspect had not said one word to him. He said he tried to back away from the Suspect, but couldn't as the microphone cord to his handheld was completely stretched out. He again ordered the Suspect to release the microphone and when he didn't, he struck the Suspect once or twice in the back and side of his upper leg, with his expandable (straight) baton. After being struck, the Suspect released the microphone, allowing Deputy Mitten to reel it back in and call for assistance.

The Suspect got up and ran away from Deputy Mitten. He ran approximately twenty feet before running into a street sign post, striking it with his right shoulder and falling to the ground. Deputy Mitten caught up to the Suspect and ordered him to stay on the ground. Deputy Mitten said that the Suspect looked at him, got back up and advanced toward him. Deputy Mitten said that he still had his baton out and believed that the Suspect was going to continue his assault. He struck the Suspect again on the upper leg, once or twice, before the Suspect turned and ran.

Deputy Mitten said that he followed the Suspect, while broadcasting that he was in foot pursuit. The Suspect ran a short distance before falling. Deputy Mitten ordered the Suspect to stay down on the ground. A citizen in a full size "Ford Bronco" who was driving by, stopped his vehicle and walked over to the Suspect, speaking to him in Spanish. Deputy Mitten said that the Suspect turned from the citizen and back toward him. He told the Suspect to get on the ground and when he refused, he again struck the Suspect on the upper legs with his baton, at least three more times. The citizen, then tackled the Suspect, and knocked him to the ground. Deputy Mitten said that the [redacted] of the "Vehicle Liquidation Car Lot" came out and he asked him to assist, while he put out additional radio traffic. The Suspect was being held on the ground by both men, who were on top of him.

> **IAB NOTE:** Deputy Metten said that the distance from the initial confrontation, to the point where the citizen knocked the Suspect down, is approximately 60 to 100 feet in length.

The Suspect locked both of his hands, interlacing his fingers and placed them underneath his chest. Deputy Mitten was able to grab one of the Suspect's hands and force it from under the Suspect's body so that he could be handcuffed. He said he is not sure of who removed the Suspect's other hand from underneath his body.

Deputy Metten said he used a chopping like motion when he struck the Suspect with his baton, and that all of the strikes hit the Suspect on the back or sides of his upper legs. Deputy Metten said that they appeared to have little effect on the Suspect's desire to stop fighting or to comply with his verbal commands. Deputy Metten said at the scene, he saw that the Suspect's face was bloody and that he had numerous scrapes to his knees and a welt to the back of his right leg. At the hospital he

saw scrapes on the Suspect's elbows and was told, the Suspect had a broken nose and a hairline fractured to his jaw. Deputy Metten said that after he punched the Suspect the first time, he saw him bleeding from his nose. Deputy Metten said that he doesn't know how the Suspect sustained his additional injuries. He said the only strikes with impact weapons, was the baton strikes he delivered to the Suspect's legs.

IAB NOTE: An examination of Deputy Metten's hands, with particular attention to his knuckles, revealed no cuts or bruises, which would be indicative of contact with Suspect's teeth. (Refer to Exhibit C Page 12)

SUSPECT'S STATEMENT

Suspect Pedrosa was interviewed on 10-08-03 at 3:58 a.m., at Lancaster Sheriff Station Jail, by Sergeant Harris and Sergeant Smith. He was advised of the reason for the interview and said that his true name is "Ramero Ramirez Pedrosa," that he was born in Mexico and that his date of birth is 07-22-1958.

Suspect Pedrosa said that he was driving his [redacted] van, doing a favor for him, when the police started to follow him. He said when the police turned on their lights, he stopped right away. He opened his door and was "almost outside of the van," when the deputy "approached him and sprayed him in the eyes with gas." He said that when the Deputy confronted him, the Deputy was mad, because he didn't get out of the van fast enough. He tried to tell the Deputy that he couldn't move fast, that he had a prior shoulder injury. He said he tried to explain, and the Deputy sprayed him in the eyes. He said he fell to ground and tried to run away, but kept falling, because his eyes were closed. He denied that he ran into the sign post and said that someone grabbed him and pushed him to the ground.

IAB NOTE: The Suspect then reenacted how someone had grabbed him by the back of his head, pulled his hair and forced his head forward slamming his chin on the ground.

He said this caused him to lose his four upper teeth, break his nose and his jaw. (Refer to Exhibit C, Pages 1, 2 and 9) He said he doesn't know who slammed his chin on the ground, but said it was the same person that tackled him. He said that the deputy hit him on his back and legs with the baton, but not in the face. He can't remember if the deputy punched him in the face, but when he opened his eyes there were at least six deputies on him.

The Suspect said he doesn't have a driver's license and denied any prior criminal history, other than a minor traffic violation out of Arizona. The Suspect also denied using any other names, that he used alcohol, or having an outstanding arrest warrant.

IAB NOTE: The Suspect referred to the [redacted] of the van (Mr. [redacted] as his [redacted] and then as his [redacted] Mr. [redacted] referred to the Suspect as his [redacted] In Deputy Hutchinson interview, he revealed that they are not related.

EMPLOYEE WITNESS

DEPUTY JEFFERY HUTCHINSON, #[redacted]

Deputy Hutchinson said that he and his partner, Deputy Metten were assigned a possible grand theft call, which turned out to be more of a keep the peace call, with the informant not being desirous of prosecution. Deputy Hutchinson said the informant [redacted] and his [redacted] were still involved in a relationship and all he wanted was his jet ski back.

He said they found out who currently had the informant's jet ski and contacted him to get the jet ski back. Deputy Hutchinson said because the informant was adamant that he didn't want anyone to go to jail, they pursued this call as more of a civil dispute. He said everyone, including Mr. [redacted] was very cooperative and he felt there wasn't going to be any problems in recovering the jet ski.

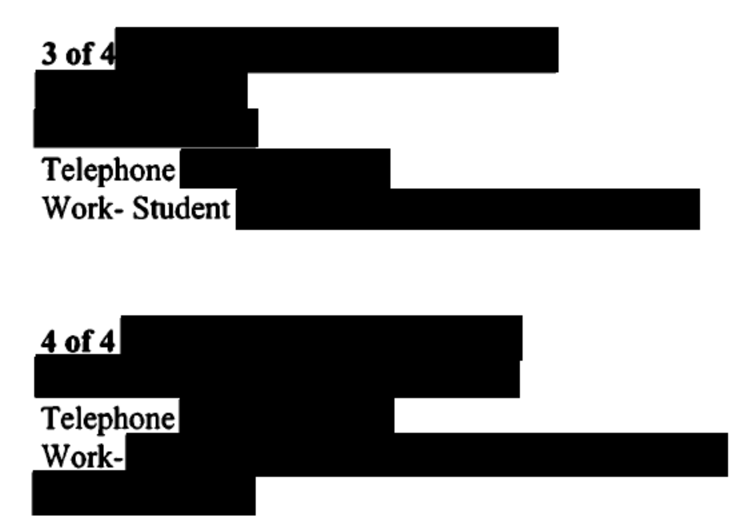
At the residence of Mr. [redacted] they saw a white van turn down the alley and the informant's [redacted] told Deputy Metten, that's the van or something similar to it. Deputy Hutchinson believed that the van was on the way back to the [redacted] house, which was [redacted] houses away. He told Deputy Mitten to stop the van and tell the driver to bring the jet ski back, so that they could clear up the call. He thought that Deputy Metten was only going as far as [redacted] house.
Deputy Hutchinson didn't witness anything that happened between his partner and the Suspect. He later learned the distance between the termination point of Deputy Metten's confrontation with the Suspect and his location, was probably less than forty yards as the crow flies.

> **IAB NOTE:** Deputy Mitten was the driver and Deputy Hutchinson was the book man. Deputy Hutchinson is also Deputy Mitten's former [redacted] with Deputy Mitten [redacted]

NON EMPLOYEE WITNESSES

1 of 4 [redacted]
Telephone [redacted]

2 of 4 [redacted]
Telephone [redacted]
Work- [redacted]
Telephone [redacted]



3 of 4 [redacted]
[redacted]
Telephone [redacted]
Work- Student [redacted]

4 of 4 [redacted]
[redacted]
Telephone [redacted]
Work- [redacted]
[redacted]

SUMMARY OF WITNESS STATEMENT:

1 of 4 [redacted]
Witness [redacted] said that he was turning on 87th Street and saw Deputy Mitten chasing the Suspect in the dirt area, next to Pearblossom Highway. He said that the Suspect was bleeding from his nose and Deputy Mitten was chasing the Suspect, yelling, "get down, get down." Witness [redacted] said that he pulled over next to the Suspect and yelled out through the car window (in Spanish) at the Suspect, "get down, listen to what he is telling you, your going to get hurt." He said that the Suspect continued to run and then fell down. Witness [redacted] said Deputy Mitten hit the Suspect in the legs, about four times, because the Suspect wouldn't listen and he kept getting up, trying to get away. Witness [redacted] kept driving and got in front of the Suspect with his car. He then got out of his car, grabbed the Suspect upper body from the back and holding onto both of the Suspect's arms, threw him to the ground. Witness [redacted] said that he was assisted by two other men from the car lot in holding the Suspect down, until he was handcuffed. Witness [redacted] said he didn't see Deputy Mitten doing anything wrong.

2 of 4 [redacted]
Witness [redacted] said that he only saw part of the incident, but did see the Suspect struggling with the Deputy and it appeared that he was trying to arrest him. He saw the Deputy grab the Suspect by the arm and take the Suspect to the ground. Witness [redacted] said the Suspect got up and ran away. He said that the Deputy kept yelling at the Suspect, "get down, stay down, stop fighting." Witness [redacted] said that the Suspect ran away and fell down by himself, four or five times, as the Deputy continued to chase him. Witness [redacted] said that he saw the Deputy strike the Suspect twice in the legs, when the Suspect fell to the ground and got back up. He said this was before Witness [redacted] grabbed the Suspect. Witness [redacted] said that his view was partially blocked by a van and that when he heard the Deputy yell, get down, get down, he believed he was talking to him and got out of the way.

3 of 4 [redacted]
Witness [redacted] said that he was in the car lot and saw the door of the van open. (The witness did not see the vehicles pull over) Witness [redacted] said the van's door opened and the Suspect jumped out of the van and "charged at" the Deputy. Witness [redacted] demonstrated what he saw, leaning forward, his upper body slightly bent, in a semi crouching position, with both hands extended as if to push. He said he saw the Deputy take the Suspect to the ground and thinking the incident was over, went back inside of the car lot office. He then told his [redacted] (Witness [redacted] to come outside and look what's going on. Upon going back outside Witness [redacted] saw that the Deputy was now chasing the Suspect. He said that the Deputy chased the Suspect around the corner and that he lost sight of them.

4 of 4 [redacted]
Witness [redacted] said that he walked out of the car lot office after Witness [redacted] called him. He saw the Suspect running down the street, with the Deputy chasing him. He saw the Suspect run into the street sign post, at the intersection of 87th Street E at Pearblossom Highway. He said the Suspect fell down and just as quickly, got back up, with the Deputy right behind him. He said the Deputy kept yelling for the Suspect to stop, to get down and that the Suspect wouldn't listen. Witness [redacted] said that the Suspect was running from the Deputy, then turned around and ran at the Deputy. Witness [redacted] said that the Deputy hit the Suspect in his legs with his baton, when the Suspect kept coming at him. He said that the Suspect was going to attack the Deputy and that is why the Deputy hit him. He said that his view was partially blocked by the cars and that he saw the Deputy strike the Suspect in the legs, three or four times. He described the Suspect as a "Nut and a Monster" that he just kept coming and wouldn't stay down. Witness [redacted] said he assisted Witness [redacted] in holding the Suspect down and handcuffing him. The witness said that once the Suspect was down on the ground, the Deputy didn't use any additional force.

INJURIES:

Suspect Pedrosa was transported to Antelope Valley Hospital, 1600 West Avenue J, Lancaster 93534. His after care instruction sheet (Exhibit A) indicates that he has a "broken jaw and his nose is also broken," with a comment that additional injuries cannot be ruled out. The Suspect also lost his upper four front teeth, sustained numerous scrapes, lacerations and abrasions to his knees and elbows. (Refer to Exhibit C)

> **IAB NOTE**: The chase of the Suspect took place on the roadway's shoulder, which consisted of dirt, gravel and rough asphalt. Exhibit C, Page 3, depicts dirt next to the Suspect's abrasions.

Deputy Mitten complained of swelling and pain to his right hand and abrasions to his right knee and elbow.

PHYSICAL EVIDENCE:
No physical evidence was collected at the scene.